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July 30, 2021

Via ECF

The Hon. Robert W. Lehrburger, U.S.M.J.
Daniel Patrick Moynihan
United States Courthouse
500 Pearl Street, Courtroom 18D
New York, NY 10007-1312

Re: Fonz Inc v. City Bakery Brands, LLC et al, No.1:19-cv-10854-LJL-RWL

Dear Judge Lehrburger:

We represent the Plaintiff, Fonz Inc. (“Fonz”) in the above referenced action. We write to request a brief one-week extension of the deadline for the submission on damages and permission to present evidence establishing the proposed damages by declaration under 28 U.S.C. §1746 instead of an affidavit.

The current submission deadline is August 2, 2021. Plaintiff’s principal place of business is in Tokyo, Japan and notarization of an affidavit requires an appointment at the US embassy. Embassies around the world have limited consular services due to the ongoing COVID-19 pandemic. Plaintiff’s representative with personal knowledge of the relevant facts is traveling between Japan, Hong Kong and Singapore in connection with Plaintiff’s operations which further impedes the ability to finalize promptly an affidavit and obtain the appropriate notarization.

Accordingly, Fonz respectfully requests a brief extension to August 9, 2021 to finalize and file its submission and permission to present evidence by an unsworn declaration under penalty of perjury under the laws of the United States of America.

We thank the Court for its consideration of this request.

Respectfully submitted,

/s/ Albena Petrakov
Albena Petrakov

SO ORDERED:

7/30/2021

HON. ROBERT W. LEHRBURGER
UNITED STATES MAGISTRATE JUDGE